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February 10, 2005

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Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Art Unit 2819 Mail Stop Amendment

Re:

U.S. Utility Patent Application

Application No. 10/767,774; Filed: January 30, 2004

System And Method For Shuffling Mapping Sequences For:

Inventor:

Kevin L. MILLER

Our Ref:

1875.3900000

Sir:

In response to the "Notice of Non-Compliant Amendment" dated February 2, 2005, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

- 1. Copy of the Notice of Noncompliant Amendment;
- 2. Reply to Notice of Noncompliant Amendment Under 37 CFR §1.121; and
- 3. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Evan R. Smith

Attorney for Applicant Registration No. 35,683

ERS/sic **Enclosures** 

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|----------------|--|---|--|
|                | ×  | Notice of Non-Compliant Amendment (37 CFR 1.121)  |  |
| 37 CFR correct | 1.121. I<br>ed sectio  | document filed onis considered non-compliant because it has failed to meet In order for the amendment document to be compliant, correction of the following item(s) is roon of the non-compliant amendment document must be resubmitted (in its entirety), e.g., to the claims" section of applicant's amendment document must be re-submitted. 37 CF   | equired. Only the<br>, the entire                    |
|                | OLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: |   |  |
|                | 1. Ame   | ndments to the specification:   |  |
|                |  | A. Amended paragraph(s) do not include markings.  |  |
|                |  | B. New paragraph(s) should not be underlined.   |  |
|                |  | C. Other  |  |
|                | 2. Abstr   | A. Not presented on a separate sheet. 37 CFR 1.72.  B. Other  |  |
|                | 3. Amei  | ndments to the drawings:  |  |
|                | 4. Amer  | A. A complete listing of <u>all</u> of the claims is not present.  B. The listing of claims does not include the text of all pending claims (including withdrawn C. Each claim has not been provided with the proper status identifier, and as such, the individual claim cannot be identified. Note: the status of every claim must be indicated after its claim one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdepresented), (New) and (Not entered). | dual status of each<br>number by using               |
|                |  | D. The claims of this amendment paper have not been presented in ascending numerical order.  E. Other: Claim 16 has the wrong Status iden   |  |
|                |  | nation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USP7<br>(ov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf).  | ΓΟ website at  |
| If the no      | n-compli   | iant amendment is a PRELIMINARY AMENDMENT applicant is given ONE MONTH fr   | rom the mail date of                                 |

this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.